S.B.CRIMINAL MISC. BAIL APPLICATION NO.5075/2006

Date : 16.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Anand Purohit for the applicants.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.
Mr. J.R. Choudhary for the complainant.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel is that FIR was also lodged against the complainant party and it was found that grievous hurt was caused, therefore, the FIR was registered under Section 307 IPC. It has been submitted that all other accused have been bailed out expect the ladies. It has further been submitted that applicant Rameshwari has sustained grievous hurt in the instant case. In the last, it has been submitted that on the field of the applicants, complainant party came and thereafter incident took place.

On the other hand, learned Public Prosecutor assisted by learned counsel for the complainant has disputed the aspect that they entered into the field of the accused party and submitted that infact the accused party was aggressor.

I have considered the submissions made before me.

Taking into consideration overall facts and circumstances of the present case and the fact that both the parties received grievous hurt equally and as the applicants are ladies, I deem it just and proper to grant anticipatory bail to the applicants. Accordingly, it is directed that in the event of arrest of applicants (1) Tijudi w/o Padma Ram (2) Rameshwari w/o Sukha Ram (3) Kamali w/o Teja Ram and (4) Mohani w/o Bhanwar Lal by I.O./S.H.O. in FIR No.81/2006 P.S. Jayal, District Nagaur, they shall be released on bail provided each of them furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

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